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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MUSTAFA YOUSIF and SHARONE WALKER)  
on behalf of themselves and all others similarly )  
situated, )

Plaintiffs, )

v. )

THE VENETIAN CASINO RESORT, LLC; )  
LAS VEGAS SANDS, CORP and DOES 1 )  
through 50, inclusive, )

Defendants. )

CASE NO. 2:16-cv-02941-RFB-NJK

**STIPULATION AND [PROPOSED]  
ORDER TO STAY ACTION PENDING  
MEDIATION**

**Second Request**

Pursuant to Local Rules (“LR”) IA 6-2 and LR 7-1, Plaintiffs MUSTAFA YOUSIF and SHARONE WALKER (“Plaintiffs”), by and through their counsel of record THIERMAN BUCK, LLP, and Defendant THE VENETIAN CASINO RESORT, LLC (“Defendant”), by and through its counsel of record DLA PIPER, LLC, and OGLETREE, DEAKINS, NASH, SMOAK, & STEWART, P.C., hereby request and stipulate to stay the entire action, including but not limited to the class certification briefing and hearing date, in the above captioned matter pending mediation.

The purpose of the Stay is to promote judicial economy and allow this court to more effectively control the disposition of the cases on its docket with economy of time and effort for

1 itself, for counsel, and the litigants. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254 (U.S. 1936) (“[T]he  
2 power to stay proceedings is incidental to the power inherent in every court to control the disposition  
3 of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”);  
4 *Pate v. DePay Orthopedics, Inc.*, 2012 WL 3532780, at \* 2 (D. Nev. Aug. 14, 2012) (“A trial court  
5 may, with propriety, find it is efficient for its own docket and the fairest course for the parties to  
6 enter a stay of an action before it, pending resolution of independent proceedings which bear upon  
7 the case.”), *citing Leyva v. Certified Grocers of Cal., Ltd.*, 593 F.2d 857, 863 (9th Cir. 1979).

8 The Parties attended mediation on November 21, 2019, but were unable to reach a settlement  
9 agreement on that date. However, the Parties have agreed to attend a second mediation currently  
10 scheduled for February 28, 2020 in an attempt to resolve all remaining claims in the action. Pending  
11 the outcome of the Parties’ attempt to achieve a resolution of all remaining claims, the Parties will  
12 provide a Status Report to the Court no later than fifteen (15) days following the mediation setting  
13 forth the following dates:

14 1) Should the Parties reach a settlement, the Parties will set forth a proposed briefing  
15 schedule for Settlement approval.

16 2) Should the Parties be unsuccessful at resolving all claims, the Parties shall set forth a  
17 proposed briefing schedule to address (1) Plaintiffs’ Motion for a Protective Order [DKT. #134 ]  
18 and (2) Plaintiffs’ Motion for Class Certification Under Rule 23 of the Federal Rules of Civil  
19 Procedure [DKT. # 126].

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1 This Stipulation is made in good faith and not for the purposes of undue burden or delay.

2 **IT IS SO STIPULATED:**

3 Dated this 26th day of November 2019  
4 THIERMAN BUCK, LLP

5  
6 /s/ Leah L. Jones  
7 Mark R. Thierman, Esq., Bar No. 8285  
8 Joshua D. Buck, Esq., Bar No. 12187  
9 Leah L. Jones, Esq., Bar No. 13161  
10 7287 Lakeside Drive  
11 Reno, Nevada 89511

12 *Attorneys for Plaintiffs*

Dated this 26th November 2019  
OGLETREE, DEAKINS, NASH, SMOAK, &  
STEWART, P.C.

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*Attorneys for Defendant*

13 **ORDER**

14 **IT IS HEREBY ORDERED** that the Parties' Stipulation and Order to stay action in the  
15 above captioned matter is **granted**.

16 **IT IS FURTHER ORDERED** that the Parties will submit a Joint Status Report no later  
17 than 15 days following the Parties' mediation to inform the Court if the Parties have come to an  
18 early resolution.

19 **IT IS SO ORDERED:**

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21 RICHARD F. BOULWARE, II  
22 UNITED STATES DISTRICT JUDGE

23 DATED this 27th day of November, 2019.